

REMARKS/ARGUMENTS

Independent claim 1 has been amended by incorporating the subject matter of claim 8, which the Office has acknowledged as reciting allowable subject matter. Claim 8 has been cancelled. Independent claim 13 has been amended by incorporating the subject matter of claim 20, which the Office has acknowledged as reciting allowable subject matter. Claims 8 and 20 have been cancelled. Independent claims 1 and 13 have also been amended to recite treating a PGM (platinum group metal) salt and a metal salt comprising a transition/alkali metal salt, Ba salt, or Mg salt with a water-soluble polymer compound and a reducing agent, to obtain a first colloidal mixture solution. Further, dependent claims 6, 19, 25 and 34 have been amended to correspond to the amendments made in independent claims 1 and 13. Claims 10 and 21 have been amended by deleting subject matter recited in currently amended independent claims 1 and 13. Claim 27 has also been cancelled.

Claims 1-7, 9, 11-19 and 22-34 stand rejected under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 6,912,847 to Deeba (hereinafter "Deeba") in view of German Publication No. DE 4410353 (hereinafter DE '353). Claims 8, 10, 20 and 21 have been objected to for depending upon a rejected base claim.

To establish a *prima facie* case of obviousness the prior art references must teach or suggest each and every claim element. Furthermore, the teaching or suggestion to make the claimed invention must both be found in the prior art, not in applicant's disclosure.

Applicants thank the Office for acknowledging that claims 8, 10, 20 and 21 contain allowable subject matter. The Office has indicated that the prior art of record, including Deeba, DE '353, or any combination thereof, does not teach or suggest the recited combinations of catalytic metals. See Office Action dated October 17, 2007, page 7. As such, claims 8, 10, 20 and 21 were merely objected to for being dependent upon a rejected base claim. The Office indicated that these claims would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. See Office Action dated October 17, 2007, page 7. Accordingly, the allowable subject matter recited in dependent claims 8 and 20 have been incorporated into independent claims 1 and 13, respectively.

Application No.: 10/517,679
Amendment Dated April 17, 2008
Reply to Office Action of October 17, 2007

Since the cited references, alone or in any combination, do not teach or suggest the particular combinations of catalytic metals as currently recited in independent claims 1 and 13, the cited references do not teach or suggest each and every element currently claimed in independent claims 1 and 13. Applicants submit that the current claim amendments overcome the obviousness rejections based on the combination of Deeba and DE '353. Accordingly, the cited references do not render independent claims 1 and 13, or any claims dependent thereon, as being obvious. Additionally, Applicants submit that the current amendments overcome the objections to claims 8, 10, 20 and 21.

In view of the amendments and remarks made above, Applicants submit that the pending claim is in condition for allowance. Applicants respectfully request that the claim be allowed to issue. If the Examiner wishes to discuss the application or the comments herein, the Examiner is urged to contact the undersigned.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



John E. Johnson, III
Registration No. 58,367

Customer No. 00826
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Tel Charlotte Office (704) 444-1000
Fax Charlotte Office (704) 444-1111
LEGAL02/30748513v1

ELECTRONICALLY FILED USING THE EFS-WEB ELECTRONIC FILING SYSTEM OF THE UNITED STATES PATENT & TRADEMARK OFFICE ON APRIL 17, 2008.